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BEFORE THE

ILLINOIS COMMERCE COMMISSION

ILLINOIS COMMERCE COMMISSION)DOCKET NO.
On Its Own Motion)07-0166
)
-vs-)
)
COMMONWEALTH EDISON COMPANY)
)
Investigation pursuant to Section)
9-250 of Commonwealth Edison)
Company's Rate Design.)

Monday, June 11, 2007
Springfield, Illinois

Met, pursuant to notice at 10:00 A.M.

BEFORE:

MR. MICHAEL WALLACE, Administrative Law Judge

APPEARANCES:

MS. CYNTHIA FONNER
FOLEY & LARDNER, LLP
321 North Clark Street
Suite 2800
Chicago, Illinois 60610

(Appearing on behalf of the
Commonwealth Edison Company via
teleconference)

SULLIVAN REPORTING COMPANY, by
Carla Boehl, Reporter
Ln. #084-002710

1 APPEARANCES: (Continued)

2 MR. DAVID I. FEIN
Senior Regulatory Counsel
3 550 West Washington Boulevard, Suite 300
Chicago, Illinois 60661
4
(Appearing on behalf of
5 Constellation NewEnergy, Inc.,
via teleconference)

MR. JOSEPH E. DONOVAN
DLA PIPER US, LLP
203 North LaSalle Street, Suite 1900
Chicago, Illinois 60101-1293

(Appearing on behalf of the
Coalition of Energy Suppliers
via teleconference)

11 MR. RONALD D. JOLLY
MR. J. MARK POWELL
12 Assistant Corporate Counsel
30 North LaSalle Street, Suite 900
13 Chicago, Illinois 60602

14 (Appearing on behalf of the
City of Chicago via
15 teleconference)

16 MR. MICHAEL A. MUNSON
LAW OFFICE OF MICHAEL A. MUNSON
17 123 North Wacker Drive, Suite 1800
Chicago, Illinois 60606
18
19 (Appearing on behalf of the
Building Owners and Managers
Association/Chicago via
20 teleconference)

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I N D E X

<u>WITNESSES</u>	<u>DIRECT</u>	<u>CROSS</u>	<u>REDIRECT</u>	<u>RECROSS</u>
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(None.)

I N D E X

<u>EXHIBITS</u>	<u>MARKED</u>	<u>ADMITTED</u>
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CES 1.0, 1.1, 1.2, 1.3, 2.0, 2.1, 2.2, 2.3, 3.0 3.1, 3.2, 4.0, 4.1, 4.2, 5.0	e-Docket	48
ICC Staff 1.0, 1.01, 2.0, 2.01	e-Docket	50
CUB 1.0, 1.01, 2.0	e-Docket	50
IIEC 1.0, 2.0	e-Docket	51
CNE 1.0, 2.0, 3.0	e-Docket	52
BOMA 1.0, 1.1, 2.0, 3.0	e-Docket	53

1 on behalf of the City of Chicago. Thank you.

2 JUDGE WALLACE: Constellation NewEnergy?

3 MR. FEIN: David Fein on behalf of
4 Constellation NewEnergy.

5 JUDGE WALLACE: The Coalition of Energy
6 Suppliers?

7 MR. DONOVAN: Joe Donovan on behalf of the
8 Coalition.

9 JUDGE WALLACE: And, Ms. Earl, did you want to
10 appear in this docket also?

11 MS. EARL: Sure. Laura Earl on behalf of the
12 Ameren Illinois Utilities.

13 JUDGE WALLACE: And CUB?

14 MS. SODERNA: Julie Soderna on behalf of the
15 Citizens Utility Board.

16 JUDGE WALLACE: And is there anyone for BOMA?

17 MR. MUNSON: Yes, this is Mike Munson appearing
18 on behalf of BOMA/Chicago.

19 JUDGE WALLACE: Have you filed a notice of
20 appearance yet, Mr. Munson?

21 MR. MUNSON: I am entering it on e-Docket as we
22 speak.

1 JUDGE WALLACE: Okay, then. Any other
2 appearances out there? All right.

3 Based on the discussion of Docket
4 -0165 that just concluded, it looks like there may be
5 outstanding Petitions to Intervene of BOMA,
6 Constellation NewEnergy, CES and Ameren; is that
7 correct? Okay. Well, if those haven't been granted,
8 they are granted. If they have been granted before,
9 they have been double granted.

10 Ms. Fonner, are you ready to -- well,
11 I am sorry, it is also my understanding that all
12 parties have waived cross examination of witnesses
13 and we will proceed to put in exhibits via affidavit,
14 and we will start with Commonwealth Edison.
15 Ms. Fonner?

16 MS. FONNER: Thank you, Your Honor.
17 Commonwealth Edison Exhibits 1.1 through 1.3, the
18 informational testimony of Paul R. Crumrine and
19 attachments thereto filed on April 6; Commonwealth
20 Edison Exhibits 2.0 through 2.3, supplemental
21 informational testimony of Paul R. Crumrine filed on
22 April 27 of '07; Commonwealth Edison Exhibit 3.0

1 through 3.2, the direct testimony of Paul R. Crumrine
2 and exhibits thereto filed on May 11, 2007;
3 Commonwealth Edison Exhibits 4.0 through 4.2, the
4 rebuttal testimony of Paul R. Crumrine and
5 attachments thereto filed on June 1, 2007; and
6 Commonwealth Edison Exhibit 5.0, the affidavit of
7 Paul R. Crumrine filed on June 7, 2007, I would offer
8 all those exhibits into the record at this time.

9 JUDGE WALLACE: Did you mention the first
10 informational testimony 1.0?

11 MS. FONNER: That is correct, Your Honor. 1.1
12 through 1.3 was on April 6.

13 JUDGE WALLACE: I am sorry, I am still
14 confused. You are moving 1.0?

15 MS. FONNER: Right. 1.0 had along with it 1.1,
16 1.2 and 1.3 as attachments to that initial
17 informational testimony.

18 JUDGE WALLACE: All right. Any objection?
19 Hearing none, the exhibits recited are admitted.

20 (Whereupon Commonwealth Edison
21 Exhibits 1.0, 1.1, 1.2, 1.3,
22 2.0, 2.1, 2.2, 2.3, 3.0, 3.1,

1 3.2, 4.0, 4.1, 4.2 and 5.0 were
2 admitted into evidence.)

3 Anything else from Commonwealth
4 Edison?

5 MS. FONNER: No, Your Honor.

6 JUDGE WALLACE: All right. Mr. Feeley?

7 MR. FEELEY: Sure. At this time Staff would
8 move to admit the following, ICC Staff Exhibit 1.0,
9 direct testimony of Peter Lazarre filed May 11; ICC
10 Staff Exhibit 1.01, the affidavit of Mr. Lazarre for
11 the direct testimony that was filed June 8, ICC Staff
12 Exhibit 2.0 Corrected and the attached Schedules 2.01
13 Corrected, Schedule 2.02 Corrected and Schedule 2.03,
14 all of those -- Schedule 2.03 was filed on June 1.
15 It also was refiled for completeness purposes with a
16 corrected 2.0, 2.01 and 2.02 on June 8, and then the
17 affidavit of Mr. Lazarre for his rebuttal is
18 identified as 2.01 and that was filed on June 8.

19 JUDGE WALLACE: All right. So you had 1.0 and
20 1.1?

21 MR. FEELEY: 1.0. 1.01 is his affidavit.
22 There are no schedules for Exhibit 1.0.

1 JUDGE WALLACE: All right. Any objection?

2 Hearing none, those exhibits are admitted.

3 (Whereupon ICC Staff Exhibit
4 1.0, 1.01, 2.0 and 2.01 were
5 admitted into evidence.)

6 Ms. Soderna?

7 MS. SODERNA: Thank you, Judge. Julie Soderna
8 on behalf of the Citizens Utility Board.

9 We would like to offer into evidence
10 CUB Exhibit 1.0, the direct testimony of Christopher
11 C. Thomas filed on May 11, 2007, and its attachment,
12 CUB Exhibit 1.01, the docket summary for Christopher
13 C. Thomas; as well as CUB Exhibit 2.0, the affidavit
14 of Christopher C. Thomas filed on June 7, 2007.

15 JUDGE WALLACE: Thank you. Any objection?
16 Those exhibits are admitted.

17 (Whereupon CUB Exhibits 1.0,
18 1.01 and 2.0 were admitted into
19 evidence.)

20 MS. SODERNA: Thank you.

21 JUDGE WALLACE: Mr. Robertson?

22 MR. ROBERTSON: Yes, Your Honor, this is Eric

1 Robertson.

2 I would move the admission of IIEC
3 Exhibit 1.0, the rebuttal testimony of Robert R.
4 Stephens consisting of 12 pages of questions and
5 answers and a two-page Appendix A filed on e-Docket
6 on June 1, 2007. I would also move the admission of
7 the affidavit of Robert R. Stephens, IIEC Exhibit
8 2.0, in support of IIEC Exhibit 1.0 filed on e-Docket
9 on June 7, 2007.

10 JUDGE WALLACE: Any objection? Those exhibits
11 are admitted.

12 (Whereupon IIEC Exhibits 1.0 and
13 2.0 were admitted into
14 evidence.)

15 Mr. Fein?

16 MR. FEIN: Thank you, Your Honor.
17 Constellation NewEnergy moves for the admission of
18 CNE Exhibit 1.0, 2.0 and 3.0, Exhibit 1.0 being the
19 rebuttal testimony of John Domagalski and Katie
20 Papadimitriu filed via e-Dockets on June 1 and also
21 Exhibit 2.0, the affidavit of John Domagalski and
22 Exhibit 3.0, the affidavit of Katie Papadimitriu,

1 both of those exhibits filed via e-Docket on June 7.

2 JUDGE WALLACE: Any objection? All right.

3 Those exhibits are admitted.

4 (Whereupon CNE Exhibits 1.0, 2.0
5 and 3.0 were admitted into
6 evidence.)

7 Mr. Munson?

8 MR. MUNSON: Good morning, Mike Munson on
9 behalf of the Building Owners and Managers
10 Association of Chicago.

11 I would like to offer the direct
12 testimony of T.J. Brookover and Kristav M. Childress,
13 BOMA, I guess, Exhibit 1.0, 15 pages long, as well as
14 BOMA Exhibit 1.1 and 1.2 into the record.

15 JUDGE WALLACE: And are you going to offer the
16 affidavits?

17 MR. MUNSON: The affidavits, the one by T.J.
18 Brookover and one by Kristav M. Childress filed on
19 June 8 as well.

20 JUDGE WALLACE: All right. The Brookover
21 affidavit is BOMA 2.0 and the Childress affidavit is
22 BOMA 3.0. Any objection? Those exhibits are

1 admitted.

2 (Whereupon BOMA Exhibits 1.0,
3 1.1, 2.0 and 3.0 were admitted
4 into evidence.)

5 I believe that's all the prefiled
6 testimony submitted unless I have forgotten anyone.
7 Have I? All right, thank you.

8 The briefing schedule is initial
9 brief June 29, reply briefs July 10. Please go ahead
10 and put in a table of contents and please supply me
11 with a copy in Word format, if you would.

12 Does anyone have anything else they
13 wish to bring up at this time? All right. There
14 being nothing further, this record is marked heard
15 and taken. Thank you.

16 HEARD AND TAKEN

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